

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairman Dennis Himmelberger, on March 16, 2007 at 8:00 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Duane Ankney, Vice Chairman (R)  
Rep. Hal Jacobson, Vice Chairman (D)  
Rep. Gary Branae (D)  
Rep. Mary Caferro (D)  
Rep. Sue Dickenson (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Bruce Malcolm (R)  
Rep. Walter McNutt (R)  
Rep. Alan Olson (R)  
Rep. Mike Phillips (D)  
Rep. Veronica Small-Eastman (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Debby Barrett (R)  
Rep. Scott Sales (R)

**Members Absent:** None

**Staff Present:** Katie Butcher, Committee Secretary  
Sheri Heffelfinger, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing: SB 219, SB 239, SB 253, SB 279, SB 286  
Executive Action: HB 760, SB 98

**HEARING ON SB 239**

**Opening Statement by Sponsor:**

00:01:56 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 239, Revise driver's license laws for military personnel.

**Proponents' Testimony:**

00:04:49 Roger Hagan, National Guard of Montana  
00:06:13 Colonel Jim Jacobsen, Montana American Legion  
00:07:09 Dean Roberts, Motor Vehicle Division (MVD)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:07:53 Rep. Dickinson  
00:08:00 Mr. Roberts, MVD

**Closing by Sponsor:**

00:10:16 Sen. Balyeat

**HEARING ON SB 219**

**Opening Statement by Sponsor:**

00:10:49 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 219, Prohibit severance pay for state employees.

[EXHIBIT\(sth56a01\)](#)

[EXHIBIT\(sth56a02\)](#)

**Proponents' Testimony:**

00:14:17 Tom Schneider, Montana Public Employees Association  
00:14:56 Mike McGinly, Montana Association of Counties (MACo)

**Opponents' Testimony:** None

**Informational Testimony:**

00:15:25 Monica Smith, Legislative Audit Division

**Questions from Committee Members and Responses:**

00:15:52 Rep. Wilmer  
00:16:14 Mr. McGinly, MACo  
00:17:09 Rep. Wilmer  
00:17:20 Sen. Balyeat

**Closing by Sponsor:**

00:18:14 Sen. Balyeat  
[EXHIBIT\(sth56a03\)](#)

**HEARING ON SB 279**

**Opening Statement by Sponsor:**

00:19:44 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB  
279, Clean campaign act.  
[EXHIBIT\(sth56a04\)](#)  
[EXHIBIT\(sth56a05\)](#)

**Proponents' Testimony:**

00:26:20 John Barrows, Montana Newspaper Association  
00:27:13 Greg McDonald, Montana Broadcasters Association

**Opponents' Testimony:**

00:27:47 Elizabeth Andrews, Montana Common Cause

**Informational Testimony:**

00:28:45 Dennis Unsworth, Commissioner of Political Practices

**Questions from Committee Members and Responses:**

00:29:05 Rep. Phillips  
00:29:29 Sen. Balyeat  
00:31:02 Rep. Ingraham  
00:31:16 Sen. Balyeat  
00:33:02 Rep. Dickinson  
00:33:09 Commissioner Unsworth

**Closing by Sponsor:**

00:36:06 Sen. Balyeat  
[EXHIBIT\(sth56a06\)](#)

**HEARING ON SB 253**

**Opening Statement by Sponsor:**

00:38:14 Sen. Mike Cooney (D), SD 40, opened the hearing on SB 253, File campaign advertising text with commissioner of political practices.

**Proponents' Testimony:**

00:42:48 Greg McDonald, Montana Broadcasters Association (MBA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:45:14 Rep. Henry  
00:46:08 Sen. Cooney  
00:48:57 Rep. Olson  
00:49:10 Sen. Cooney  
00:49:59 Rep. Jacobson  
00:50:56 Sen. Cooney  
00:52:26 Rep. Wilmer  
00:53:51 Mr. McDonald, MBA  
00:54:15 Sen. Cooney  
00:55:41 Rep. Wilmer  
00:56:07 Rep. Hendrick  
00:57:04 Sen. Cooney  
00:57:41 Sheri Heffelfinger

**Closing by Sponsor:**

00:58:18 Sen. Cooney

**HEARING ON SB 286**

**Opening Statement by Sponsor:**

00:59:38 Sen. Mike Cooney (D), SD 40, opened the hearing on SB 286, Revise capitol complex building naming law.

**Proponents' Testimony:**

01:06:50 Richard Simms, Montana Historical Society  
01:08:41 Amy Sullivan, Montana History Foundation

**Opponents' Testimony:** None

**Informational Testimony:**

01:09:53 Cheryl Olsen, Montana Department of Administration  
(MDA)

**Questions from Committee Members and Responses:**

01:10:17 Rep. Jacobson  
01:10:52 Sen. Cooney  
01:11:02 Rep. Dickenson  
01:11:21 Sen. Cooney  
01:13:09 Rep. Malcolm  
01:14:03 Sen. Cooney  
01:15:33 Ms. Olsen, MDA  
01:16:15 Rep. Malcolm

**Closing by Sponsor:**

01:16:43 Sen. Cooney  
  
01:18:52 Break  
01:48:48 Reconvene

**EXECUTIVE ACTION ON HB 760**

01:49:37 **Motion:** Rep. McNutt moved that **HB 760 DO PASS.**

**Discussion:**

01:49:53 Rep. Olsen

01:50:34 **Motion:** Rep. Branae moved that **HB 760 BE AMENDED.**

**Discussion:**

01:50:52 Sheri Heffelfinger  
[EXHIBIT\(sth56a07\)](#)  
[EXHIBIT\(sth56a08\)](#)  
[EXHIBIT\(sth56a09\)](#)

01:53:27 **Vote:** Motion carried 16-2 by voice vote with Rep. Barrett and Rep. Sales voting no by proxy. Rep. Wilmer voted aye by proxy.

01:54:18 **Motion:** Rep. Branae moved that **HB 760 DO PASS AS AMENDED.**

**Discussion:**

01:54:29 Rep. Ingraham  
01:55:13 Rep. Grinde  
01:55:36 Rep. Dickinson  
01:56:11 Rep. Ingraham  
01:57:35 Rep. Branae  
01:58:18 Rep. Olsen  
01:58:49 Rep. Jones  
01:59:50 Rep. Dickinson  
02:02:35 Rep. Jacobson

02:03:51 **Vote:** Motion failed 8-10 by roll call vote with Rep. Branae, Rep. Caferro, Rep. Dickenson, Rep. Henry, Rep. Jacobson, Rep. Phillips, and Rep. Small-Eastman voting aye. Rep. Barrett, Rep. McNutt, Rep. Olson, Rep. Sales voted no by proxy.

02:05:37 **Motion/Vote:** Rep. Wilmer moved that **HB 760 BE TABLED**. Motion carried 17-1 by voice vote. Rep. Dickinson voting no. Rep. Olsen, Rep. Sales, Rep. Barrett, Rep. McNutt voted aye by proxy.

---

**EXECUTIVE ACTION ON SB 98**

02:06:55 **Motion:** Rep. Ingraham moved that **SB 98 BE CONCURRED IN**.

02:07:33 **Motion:** Rep. Ankney moved that **SB 98 BE AMENDED**.  
[EXHIBIT \(sth56a10\)](#)

**Discussion:**

02:08:03 Rep. Himmelberger  
02:10:11 Sheri Heffelfinger  
02:10:54 Rep. Henry  
02:13:13 Rep. Phillips  
02:13:42 Rep. Dickenson  
02:16:04 Rep. Jacobson  
02:17:01 Sheri Heffelfinger  
02:18:21 Rep. Jacobson  
02:18:26 Sheri Heffelfinger  
02:18:34 Rep. Himmelberger  
02:20:07 Rep. Phillips  
02:20:22 Rep. Malcolm  
02:21:05 Sheri Heffelfinger  
02:25:01 Rep. Malcolm  
02:26:55 Rep. Himmelberger  
02:27:29 Rep. Phillips

02:28:32 Rep. Caferro  
02:28:37 Rep. Wilmer  
02:29:48 Rep. Small-Eastman  
02:30:31 Sheri Heffelfinger  
02:33:50 Rep. Wilmer  
02:34:59 David Bohyer, Research Director, Legislative Fiscal  
Division (LFD)  
02:40:34 Rep. Malcolm  
02:41:49 Mr. Bohyer, LFD  
02:42:32 Rep. Wilmer  
02:42:57 Mr. Bohyer, LFD  
02:43:34 Rep. Jacobson  
02:44:27 Rep. Himmelberger  
02:45:27 Mr. Bohyer, LFD  
02:47:18 Rep. Jacobson  
02:47:39 Mr. Bohyer, LFD  
02:48:23 Rep. Himmelberger  
02:49:31 Rep. Jones  
02:51:02 Rep. Olson  
  
02:51:46 **Vote:** Motion carried 11-7 by roll call vote with Rep.  
Branae, Rep. Caferro, Rep. Dickenson, Rep. Henry, Rep.  
Malcolm, Rep. Phillips, and Rep. Wilmer voting no.  
Rep. Barrett and Rep. Sales voted aye by proxy.  
  
02:53:04 **Motion:** Rep. Ankney moved that **SB 98 BE CONCURRED IN AS  
AMENDED.**

**Discussion:**

02:53:24 Rep. Phillips  
02:53:59 Rep. Olson  
  
02:54:20 **Vote:** Motion carried 16-2 by roll call vote with Rep.  
Caferro and Rep. Malcolm voting no. Rep. Barrett and  
Rep. Sales voted aye by proxy.

**ADJOURNMENT**

02:56:45 Adjournment

---

REP. DENNIS HIMMELBERGER, Chairman

---

---

KATIE BUTCHER, Secretary  
FOR DEE BARFKNECHT

---

DH/kb

Additional Exhibits:

**EXHIBIT ([sth56aad.pdf](#))**